REMARKS

Claims 1-44 are pending in the present application. Claims 4, 6, 10, 11, 14 and 19 have been amended to delete improper multiple dependencies. Claim 5 has been amended to correct a clerical error. Claims 21-44 have been added to retain the same scope of coverage as in the claims 4, 6, 10, 11, 14 and 19 prior to the present Preliminary Amendment. The public should be advised that the present Preliminary Amendment is not considered or intended to be a narrowing amendment surrendering any equivalents.

Entry and consideration of this Amendment is respectfully requested.

Respectfully submitted,

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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

4. The cell according to ~~any of claims 1-3~~claim 1 or 2 having, in the genome thereof, a promoter, a recognition sequence of recombinase FLP, a stuffer sequence, a recognition sequence of recombinase FLP, and the recombinase Cre gene sequence in this order from upstream.

5. The cell according to claim 4 wherein the promoter is a hybrid promoter (CAG promoter) comprising a cytomegalovirus enhancer, a chicken ß-actin promoter, a splicing acceptor and poly(A) sequence of rabbit ß-globin.

6. The cell according to claim ~~4 or 5~~ wherein the stuffer sequence comprises a nucleotide sequence that acts so as to suppress the expression of the Cre gene located downstream thereof.

10. The cell according to ~~any of~~ claim~~s~~ ~~4-9~~ having a nuclear localization signal at the 5'-end or 3'-end of the recombinase Cre gene.

11. A method of expressing recombinase Cre by introducing recombinase FLP into the cell according to ~~any of~~ claim~~s~~ ~~4-10~~.

14. A method of producing a recombinant adenovirus vector using the method according ~~to claim 11 or 12 and~~to claim 13.

19. The DNA according to ~~any of~~ claim~~s~~ 16-~~18~~ <u>or 17</u> wherein a second amino acid is serine, 33rd amino acid is serine, 108th amino acid is asparagine, and 294th amino acid is proline in the amino acid sequence of FLP.

Claims 21-44 are added as new claims.